



General Assembly

February Session, 2004

Raised Bill No. 356

LCO No. 1570

01570_____PH_

Referred to Committee on Public Health

Introduced by:
(PH)

AN ACT CONCERNING THE POWERS AND DUTIES OF MEDICAL EXAMINING BOARDS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 20-45 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2004*):

3 The license of any licensed practitioner of the healing arts in this
4 state, except a physician as defined in section 20-13a, may be revoked,
5 suspended or annulled, or such practitioner may be reprimanded or
6 otherwise disciplined, after notice and hearing, on the
7 recommendation of the examining board representing the branch of
8 the healing arts practiced by such practitioner for any cause [named
9 below] specified in this section. Proceedings relative to the revocation,
10 suspension or annulment of a license or toward disciplinary action
11 may be begun by the filing of written charges, verified by affidavit, by
12 the Commissioner of Public Health with the examining board
13 representing the branch of the healing arts practiced by the
14 practitioner, or by such examining board itself. The causes for which a
15 license may be revoked, suspended or annulled or for which a
16 practitioner may be reprimanded or otherwise disciplined are as
17 follows: Conviction in a court of competent jurisdiction, either within

18 or without this state, of any crime in the practice of [his] the
 19 practitioner's profession; fraudulent or deceptive conduct in the course
 20 of professional services or activities; illegal, incompetent or negligent
 21 conduct in the practice of the healing arts; habitual intemperance in the
 22 use of spirituous stimulants or addiction to the use of morphine,
 23 cocaine or other habit-forming drugs; aiding or abetting the unlawful
 24 practice of any branch of the healing arts; failure to record a license as
 25 required by law; physical or mental illness, emotional disorder or loss
 26 of motor skill, including but not limited to deterioration through the
 27 aging process of the practitioner; fraud or material deception in
 28 obtaining a license; or violation of any applicable statute or regulation.
 29 The clerk of any court in this state in which a person practicing any
 30 profession under the jurisdiction of any of the examining boards for
 31 the healing arts has been convicted of any crime as described in this
 32 section shall, immediately after such conviction, transmit a certified
 33 copy, in duplicate, of the information and judgment, without charge,
 34 to the Department of Public Health and to the examining board for
 35 such person's profession, containing the name and address of the
 36 practitioner, the crime of which he or she was convicted and the date
 37 of conviction. The Commissioner of Public Health may order a
 38 practitioner to submit to a reasonable physical or mental examination
 39 if [his] such practitioner's physical or mental capacity to practice safely
 40 is the subject of an investigation. Said commissioner may petition the
 41 superior court for the judicial district of Hartford to enforce such order
 42 or any action taken pursuant to section 19a-17.

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| This act shall take effect as follows: | |
| Section 1 | October 1, 2004 |

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| Section 1 | October 1, 2004 |
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Statement of Purpose:

To allow each medical examining board to initiate action against practitioners under its jurisdiction.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]